THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT APPEAL NO.446 OF 2006

Date: 26-04-2006

Between:

The Depot Manager, APSRTC …Appellant

And

P.Lingaiah …Respondent

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT APPEAL NO.446 OF 2006

J U D G M E N T ***(Per the Hon'ble Sri B.Prakash Rao, J):***

Heard both sides and at their request, the main appeal itself is taken up for disposal.

This appeal is filed at the instance of the Corporation against order dated 28-11-2005 in allowing Writ Petition No.25139 of 2005. The only question remains to be decided in this appeal is whether in the circumstances imposition of punishment of withholding of annual increment with cumulative effect would amount to a major penalty. This Court has already disposed of a batch of cases in Writ Appeal No.340 of 2006, dated 10-04-2006, holding that such punishment amounts to a major penalty and therefore it necessarily calls for an enquiry as contemplated under the regulations.

In this view of the matter, following the same judgment i.e. judgment dated 10-04-2006 passed in Writ Appeal No.340 of 2006, the writ appeal is dismissed. No order as to costs.

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(B.PRAKASH RAO,J)

Dated 26th April, 2006

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(D.APPA RAO,J)

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